

PATENT
670001-2002.5

REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks and amendments herein. Examiner Swartz is thanked for the courtesies extended during the April 7, 2004 telephonic interview.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-7, 9-11, 21, 23, 28-30 and 32-37 are pending. Claims 21, 23 and 28 have been amended, and claims 25-27 have been cancelled, without prejudice, without admission, without surrender of subject of matter, and without any intention of creating any estoppel as to equivalents.

No new matter is added.

It is submitted that these claims, as originally presented, are in full compliance with the requirements of 35 U.S.C. 112. The new claims, as presented herein, are not added for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these claims are added for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 21 and 28 have been amended herein to remove "e.g." from the claim language. The amendment of claim 23 is discussed below.

I. THE REJECTIONS UNDER 35 U.S.C. §112 ARE OVERCOME

Claims 23 and 25-27 were rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite. The rejection is respectfully traversed.

Claim 23 has been amended to depend from claim 1, which recites that the epitopes comprise specific SEQ ID NOs, and that the epitopes comprise a stretch of 6 amino acids. Accordingly, the metes and bounds of claim 23 are adequately described, rendering the claim definite.

Claims 25-27 have been cancelled, without prejudice, without admission, without surrender of subject matter, and without any intention to create any estoppel as to equivalents.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections to the claims under 35 U.S.C. §112.

PATENT
670001-2002.5**CONCLUSION**

In view of the remarks and amendments herein, the application is now in condition for allowance. Consequently, reconsideration and withdrawal of the rejections, and prompt issuance of a notice of allowance, are respectfully requested.

Respectfully submitted,

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